

(and S)-2-(ethylthio)ethyl phosphorothioates) on the same raw agricultural commodity, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as demeton.

Section 120.105 is amended by adding thereto tolerances for residues of demeton in or on sugar beet tops and sugar beets. As amended § 120.105 reads as follows:

§ 120.105 Tolerances for residues of demeton.

Tolerances for residues of demeton (a mixture of O,O-diethyl O-(and S)-2-(ethylthio)ethyl phosphorothioates) are established as follows:

12 parts per million in or on alfalfa hay, clover hay.

5 parts per million in or on almond hulls, fresh alfalfa, fresh clover, sugar beet tops.

1.25 parts per million in or on grapes, hops.

0.75 part per million in or on almonds, apples, apricots, broccoli, brussels sprouts, cabbage, cauliflower, celery, cottonseed, grapefruit, lemons, lettuce, muskmelons, oranges, peaches, pears, peas, pecans, peppers, plums (fresh prunes), potatoes, strawberries, tomatoes, walnuts.

0.5 part per million in or on sugar beets.

0.3 part per million in or on beans.

B. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Chemagro Corporation, P.O. Box 4913, Kansas City 20, Missouri, and other relevant material, has concluded that the following regulation should issue with respect to residues of the food additive demeton present in dehydrated sugar beet pulp. Such residues have been shown to occur from application of the pesticide to sugar beets under agricultural uses provided for by a concurrent regulation under section 408 of the act. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart C the following new section:

§ 121.221 Demeton.

A tolerance of 5 parts per million is established for residues of demeton (a mixture of O,O-diethyl O-(and S)-2-(ethylthio)ethyl phosphorothioates) in dehydrated sugar beet pulp for livestock feed when present therein as a result of the application of the pesticide in the production of sugar beets, provided that if residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate are also present, the total of both residues shall not exceed 5 parts per million.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER, or to the Clerk, Department, and Wel-

fare Room 5440, 1330 Independence Avenue SW, Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in triplicate.

**Effective date.** This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d)(2), 409(c)(4); 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(4))

Dated: July 26, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-7270; Filed, Aug. 1, 1961; 8:50 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart C—Food Additives Permitted in Animal Feed and Animal Feed Supplements

#### O,O-DIETHYL S-2-(ETHYLTHIO)ETHYL PHOSPHORODITHIOATE

Pursuant to sections 409 and 701 of the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.215 of the food additive regulations (26 F.R. 2595) is revised to read as follows:

#### § 121.215 O,O-Diethyl S-2-(ethylthio)ethyl phosphorodithioate.

A tolerance of 5 parts per million is established for residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate, calculated as demeton, in dehydrated sugar beet pulp for livestock feed when present therein as a result of the application of the pesticide to the growing agricultural crop, provided that, if residues of demeton are also present, the total of both residues shall not exceed 5 parts per million.

This amendment does not require notice and public procedure since it is made for the purpose of bringing § 121.215 into conformity with the pesticide regulations.

**Effective date.** This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409, 701; 52 Stat. 1055, 72 Stat. 1785; 21 U.S.C. 348, 371)

Dated: July 26, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-7272; Filed, Aug. 1, 1961; 8:50 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

#### COMBUSTION PRODUCT GAS

The Commissioner of Food and Drugs, having evaluated the data submitted by the Vitagen Corporation, 354 South Spring Street, Los Angeles 13, California, and other relevant material, has concluded that the following food additive regulation should issue with respect to the food additive combustion product gas used for the displacing and removal of oxygen in processing and packing of food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR 121) are amended by adding to Subpart D the following new section:

#### § 121.1060 Combustion product gas.

The food additive combustion product gas may be safely used in the processing and packaging of the foods designated in paragraph (c) of this section for the purpose of removing and displacing oxygen in accordance with the following prescribed conditions:

(a) The food additive is manufactured by the controlled combustion in air of butane, propane, or natural gas. The combustion equipment shall be provided with an absorption-type filter capable of removing possible toxic impurities through which all gas used in the treatment of food shall pass; and with suitable controls to insure that any combustion products failing to meet the specifications provided in this section will be prevented from reaching the food being treated.

(b) The food additive meets the following specifications:

(1) Carbon monoxide content not to exceed 4.5 percent by volume.

(2) The ultraviolet absorbance in iso-octane solution in the range 255 millimicrons to 310 millimicrons not to exceed one-third of the standard reference absorbance when tested as described in paragraph (e) of this section.

(c) It is used or intended for use to displace or remove oxygen in the processing, storage, or packaging of citrus products, vegetable fats and vegetable oils, coffee, and wine.

(d) To assure safe use of the additive in addition to the other information required by the act, the label or labeling of the combustion device shall bear adequate directions for use to provide a combustion product gas that complies with the limitations prescribed in paragraph (b) of this section, including instructions to assure proper filtration.

(e) The food additive is tested for compliance with paragraph (b)(2) by the following empirical method:

**Spectrophotometric measurements.** All measurements are made in an ultraviolet spectrophotometer in optical cells of 5 centimeters in length, and in the range of 255 millimicrons to 310 millimicrons, under the same instrumental conditions. The standard reference absorbance is the absorbance at

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(and S)-2-(ethylthio)ethyl phosphorothioates) on the same raw agricultural commodity, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as demeton.

Section 120.105 is amended by adding thereto tolerances for residues of demeton in or on sugar beet tops and sugar beets. As amended § 120.105 reads as follows:

**§ 120.105 Tolerances for residues of demeton.**

Tolerances for residues of demeton (a mixture of O,O-diethyl O-(and S)-2-(ethylthio)ethyl phosphorothioates) are established as follows:

12 parts per million in or on alfalfa hay, clover hay.

5 parts per million in or on almond hulls, fresh alfalfa, fresh clover, sugar beet tops.

1.25 parts per million in or on grapes, hops.

0.75 part per million in or on almonds, apples, apricots, broccoli, brussels sprouts, cabbage, cauliflower, celery, cottonseed, grapefruit, lemons, lettuce, muskmelons, oranges, peaches, pears, peas, pecans, peppers, plums (fresh prunes), potatoes, strawberries, tomatoes, walnuts.

0.5 part per million in or on sugar beets.

0.3 part per million in or on beans.

B. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Chemagro Corporation, P.O. Box 4913, Kansas City 20, Missouri, and other relevant material, has concluded that the following regulation should issue with respect to residues of the food additive demeton present in dehydrated sugar beet pulp. Such residues have been shown to occur from application of the pesticide to sugar beets under agricultural uses provided for by a concurrent regulation under section 408 of the act. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart C the following new section:

**§ 121.221 Demeton.**

A tolerance of 5 parts per million is established for residues of demeton (a mixture of O,O-diethyl O-(and S)-2-(ethylthio)ethyl phosphorothioates) in dehydrated sugar beet pulp for livestock feed when present therein as a result of the application of the pesticide in the production of sugar beets, provided that if residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate are also present, the total of both residues shall not exceed 5 parts per million.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Wel-

fare Room 5440, 330 Independence Avenue, SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quantuplicate.

**Effective date.** This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d)(2), 409(c)(4); 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(4))

Dated: July 26, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-7270; Filed, Aug. 1, 1961; 8:50 a.m.]

**PART 121—FOOD ADDITIVES**

**Subpart C—Food Additives Permitted in Animal Feed and Animal Feed Supplements**

**O,O-DIETHYL S-2-(ETHYLTHIO)ETHYL PHOSPHORODITHIOATE**

Pursuant to sections 409 and 701 of the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.215 of the food additive regulations (26 F.R. 2595) is revised to read as follows:

**§ 121.215, O,O-Diethyl S-2-(ethylthio)ethyl phosphorodithioate.**

A tolerance of 5 parts per million is established for residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate, calculated as demeton, in dehydrated sugar beet pulp for livestock feed when present therein as a result of the application of the pesticide to the growing agricultural crop, provided that, if residues of demeton are also present, the total of both residues shall not exceed 5 parts per million.

This amendment does not require notice and public procedure since it is made for the purpose of bringing § 121.215 into conformity with the pesticide regulations.

**Effective date.** This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409, 701; 52 Stat. 1055, 72 Stat. 1785; 21 U.S.C. 348, 371)

Dated: July 26, 1961.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 61-7272; Filed, Aug. 1, 1961; 8:50 a.m.]

**PART 121—FOOD ADDITIVES**

**Subpart D—Food Additives Permitted in Food for Human Consumption**

**COMBUSTION PRODUCT GAS**

The Commissioner of Food and Drugs, having evaluated the data submitted by the Vitagen Corporation, 354 South Spring Street, Los Angeles 13, California, and other relevant material, has concluded that the following food additive regulation should issue with respect to the food additive combustion product gas used for the displacing and removal of oxygen in processing and packing of food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR 121) are amended by adding to Subpart D the following new section:

**§ 121.1060 Combustion product gas.**

The food additive combustion product gas may be safely used in the processing and packaging of the foods designated in paragraph (c) of this section for the purpose of removing and displacing oxygen in accordance with the following prescribed conditions:

(a) The food additive is manufactured by the controlled combustion in air of butane, propane, or natural gas. The combustion equipment shall be provided with an absorption-type filter capable of removing possible toxic impurities through which all gas used in the treatment of food shall pass; and with suitable controls to insure that any combustion products failing to meet the specifications provided in this section will be prevented from reaching the food being treated.

(b) The food additive meets the following specifications:

(1) Carbon monoxide content not to exceed 4.5 percent by volume.

(2) The ultraviolet absorbance in iso-octane solution in the range 255 millimicrons to 310 millimicrons not to exceed one-third of the standard reference absorbance when tested as described in paragraph (e) of this section.

(c) It is used or intended for use to displace or remove oxygen in the processing, storage, or packaging of citrus products, vegetable fats and vegetable oils, coffee, and wine.

(d) To assure safe use of the additive in addition to the other information required by the act, the label or labeling of the combustion device shall bear adequate directions for use to provide combustion product gas that complies with the limitations prescribed in paragraph (b) of this section, including instructions to assure proper filtration.

(e) The food additive is tested for compliance with paragraph (b)(2) by the following empirical method:

**Spectrophotometric measurements.** All measurements are made in an ultraviolet spectrophotometer in optical cells of 5 centimeters in length, and in the range of 255 millimicrons to 310 millimicrons, under the same instrumental conditions. The standard reference absorbance is the absorbance